

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DENIS V. FODJO,

Plaintiff,

-against-

MARK A. WELCH and PV HOLDING CORP.,

Defendants.

1: 24-cv-00033 (MKV)

ORDER REMANDING CASE


MARY KAY VYSKOCIL, United States District Judge:

Plaintiff filed this action in the Supreme Court, County of Bronx on August 2, 2023, without a monetary prayer for relief. [ECF No. 1]. On November 16, 2023, Defendant filed its answer and simultaneously served on Plaintiff a Demand for Total Damages. [ECF No. 1]. On December 29, 2023, Plaintiff served its first paper on Defendant, stating the amount of damages sought. [ECF No. 1]. Thereafter, Defendant timely removed the matter to this Court on January 3, 2024, invoking the Court's diversity jurisdiction. [ECF No. 1]. On April 19, 2024, however, the parties filed a joint letter and attached stipulation with respect to the damages sought in this matter by Plaintiff. [ECF No. 7].

In light of the stipulations between the parties with respect to the damages sought by Plaintiff in this matter and the parties' agreement that the case should therefore be remanded, IT IS HEREBY ORDERED that diversity jurisdiction does not exist in this case and as such, the case should be remanded to Supreme Court of the State of New York Bronx County. The Clerk of Court respectfully is requested to close this case.

SO ORDERED.

Date: April 23, 2024
New York, NY


MARY KAY VYSKOCIL
United States District Judge